

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

PHE, INC., )  
Plaintiff, )  
v. ) Case No. 4:12-cv-02296-HEA  
Does 1-96, ) Hon. Henry E. Autrey  
Defendants. ) **JURY TRIAL DEMANDED**

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL**

Plaintiff PHE, Inc. hereby files this Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and dismisses Does 1, 10, 25, 33, 36, 37, 49, 73, 77, 78, 89, and 90. This dismissal is specific to the 12 Does identified herein and does not apply to any Defendants other than the Defendants specified herein. The Does have filed neither an answer to the complaint nor a motion for summary judgment. Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) is therefore appropriate. After this dismissal three (3) Defendants will remain in this action.

Plaintiff hereby dismisses Does 1, 10, 25, 33, 36, 37, 49, 73, 77, 78, 89 and 90 without prejudice.

Dated: November 12, 2013

Respectfully submitted,  
PHE, INC.

By its attorneys,  
**SIMMONS BROWDER GIANARIS  
ANGELIDES & BARNERD LLC**

By: /s/ Paul A. Lesko  
Paul A. Lesko – E.D. Mo. Bar No. 51914  
One Court Street  
Alton, IL 62002  
Phone: 618.259.2222  
Fax: 618.259.2251  
[plesko@simmonsfirm.com](mailto:plesko@simmonsfirm.com)

*Attorney for Plaintiff PHE, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 12, 2013, I electronically filed the foregoing document via the Court's ECF, electronic email system.

Kevin Kasper  
Kasper Law Firm, LLC  
3930 Old Hwy 94 South, Suite 108  
St. Charles, MO 63304  
Phone: 636.922.7100  
Fax: 866.303.2874  
[kevinkasper@kasperlawfirm.com.](mailto:kevinkasper@kasperlawfirm.com)  
*Counsel for Defendant Doe No. 46*

Jonathan L.A. Phillips  
Shay Kepple Phillips, LTD.  
456 Fulton Street, Suite 255  
Peoria, IL 61602  
Phone: 309-494-6155  
Fax: 309-494-6156  
[jphillips@skplawyers.com](mailto:jphillips@skplawyers.com)  
*Counsel for Defendant Doe No. 52*

/s/ Paul A. Lesko  
Paul A. Lesko – Simmons Browder Gianaris  
Angelides & Barnerd, LLC